

# Chapter 5

## Reorganising the Welsh University System

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### 5.1 Introduction

Restructuring Welsh higher education came under active consideration from the start of the millennium, when a broad policy consensus emerged that the country had too many universities, often of a scale that limited their potential. From 13 higher education institutions then, the total is now 8 (plus the Open University in Wales). This chapter reviews the major policy positions and phases of these developments, from one in which the funding body for higher education sought institutions' own proposals to one in which, at the Minister's request, it offered a structural "blueprint". It illustrates developments with reference to specific cases, and highlights the key role of institutional and political leadership in these processes, and the challenges involved in securing change in a context of high institutional autonomy. Finally, it identifies the tension, perhaps particularly evident in small countries, between responsibility for governance of individual institutions, and for securing the best possible overall higher education system.

### 5.2 Context

Wales is a small country on the western edge of Europe. It has a long history as a distinct nation within what eventually became the United Kingdom of Great Britain and Northern Ireland (UK). The population is three million (about 5 % of the UK), mainly concentrated in the south-east and north-east – both close to the English border which spans its entire eastern edge. The rest of Wales is largely rural with a number of prominent towns.

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Many functions of government have long been administered somewhat separately via a special central government department, the Welsh Office. In 1999 the majority of its powers were devolved to a new National Assembly for Wales and a separate Welsh Government. Under the devolved system, the Welsh Government (and counterparts in Scotland and Northern Ireland) receives funding from London the scale of which is related to overall public expenditure for England. The Welsh Government then distributes this funding according to its priorities – similarly to “autonomous regions” elsewhere in Europe.

Since the early twentieth century, policy in the UK for higher education (HE – mainly meaning universities, but also some other providers, principally, and to a degree, further education (FE) colleges) has been administered “at arm’s length” from government, by a statutory intermediary body functioning between government and the HE sector. This arrangement reflects long-established respect for the principle that universities work best as legally autonomous, self-governed bodies. However, and to flag an issue that has been central to the politics of mergers in Wales, at the same time government, as the main source of funds for HE as a whole, and especially as the scale of that funding has increased with the growth of student numbers, has always had a broad sense of what it expects for the public investment, and this has become more specific over time.

This tension was expressed by the Welsh Government (2009: paras. 73–75), in the context of a new plan for HE published in 2009:

The plan recognises and respects the autonomy of higher education institutions in the sense that they are free to determine their own strategies, set their own direction, seek diverse forms of funding, determine their own curricula, appoint staff, and make their own awards without any reference to government. It also recognises the importance of leaving a high degree of freedom for institutions, which are closer to the market than government, to make their own judgements about how best to respond to the market, in both teaching and research.

However, this level of autonomy has to be balanced against the responsibility of the Assembly Government to ensure that higher education delivers the best it can for Wales in the long term future. It will therefore look to the £450 m public funding deployed to support higher education via HEFCW as the key lever of change in delivering this action plan.

In future, public funding investment in higher education “[...] will be steered towards investing to achieve the changes necessary to meet our vision and expectations. Only institutions that can deliver those priorities can expect to be the beneficiaries [...]”.

The intermediary body – initially known as the University Grants Committee (UGC), then the Universities Funding Council – has therefore always received guidance from ministers over the broad principles for the allocation of government funds (Shattock 1994). But the purpose of having an intermediary body – with a Council made up of people with significant experience of HE and of other “walks of life”, and an expert Executive – is to allow it to interpret the guidance in ways that make sense within the limits of funding and the practical experience of the HE sector, and that enable the sector as a whole (as distinct from individual institutions

within it) to function efficiently and effectively. The intermediary body has also long been recognised as an important source of advice to government on higher education policy – not least in terms of assessing the implications of any proposed action. In more recent years, its regulatory role has also increased, especially in respect of assessing the financial soundness of institutions, controlling funded student numbers, and assuring the quality of teaching.

For their part, the universities, with legal bases that in some cases stem from Papal Bulls, in others from Royal Charters and, more recently, from incorporation as Higher Education Corporations, have fiercely guarded their autonomy.

Against that background, finally, we need to note that under the Further and Higher Education Act of 1992, which saw the transfer of what were then called polytechnics, administered by local authorities, to full university status (hence the phrase “post-92 universities”), separate HE intermediary bodies “funding councils” were established for England, Scotland and Wales, with a different arrangement for Northern Ireland which had only two universities. With the devolution of government from London to Wales in 1999, therefore, came, among other things, responsibility for higher education, and an already operating Higher Education Funding Council for Wales (HEFCW).

### 5.3 The Diagnosis: The System Needs Restructuring

This chapter is about developments over restructuring the Welsh HE system since the start of the millennium. The first word on the subject, though, dates from 1406. In that year, Owain Glyndŵr (a Welsh ruler and the last Welsh Prince of Wales), in the course of a long-running revolt against English rule, appealed to the King of France for support, including (Glyndŵr 1406):

[...] that we shall have two universities or places of general study, namely, one in North Wales and the other in South Wales, in cities, towns or other places to be hereafter decided and determined by our ambassadors and nuncios for that purpose [...].

Matters evolved differently, however, with institutions beginning to be established in the nineteenth century. By 1999, the newly established National Assembly found itself funding 13 HE institutions (Table 5.1), with some FE colleges also delivering some HE.

A number of these institutions were already the products of mergers – most notably the largest, and strongest in research terms, Cardiff University (Wales’s only “Russell Group” university – the UK’s “club” of leading research intensive universities). In 1987, its precursor, University College Cardiff, became something of a *cause célèbre* in UK university history because of grave financial mismanagement. From that case flowed a new approach by the then UGC (maintained by all successor funding councils) to seeking assurance over institutional financial planning. The resolution of the financial crisis included a requirement that the college merge with a neighbouring institution, together with, the

**Table 5.1** Higher education institutions in Wales, 2003

Institution	Student enrolments (all levels, full & part time)
University of Wales, Newport	8,700
North East Wales Institute of Higher Education (later Glyndŵr University)	6,397
University of Wales Institute, Cardiff (later Cardiff Metropolitan University)	8,594
University of Glamorgan	19,350
Swansea Institute of Higher Education (later Swansea Metropolitan University)	4,974
Trinity College Carmarthen (later University of Wales Trinity Saint David)	1,803
University of Wales, Lampeter	3,493
University of Wales, Aberystwyth (later Aberystwyth University)	9,835
University of Wales, Bangor (later Bangor University)	9,599
Cardiff University	19,929
University of Wales, Swansea (later Swansea University)	11,727
University of Wales College of Medicine	4,144
Royal Welsh College of Music and Drama	583

Source: *HEFCW Annual Report 2003–2004*

chairman of the UGC wrote (Swinnerton-Dyer and Sir Peter 1987), “The resignation – or, if necessary, dismissal – of the Principal”. Forceful intervention is not new.

In January 1999, HEFCW was asked by the Welsh Office to identify the scope for mergers in HE and to make recommendations to the new National Assembly. HEFCW recommended that there should be five or six institutions in Wales, and that the Assembly should invite it to consult with institutions with a view to a strategic, structural reorganisation over a period of some 3–5 years (HEFCW 1999).

The Assembly’s Education and Lifelong Learning Committee (2002) followed up with a review of higher education. Its report confirmed the need for structural reform but was equivocal about mergers. Instead, it urged a “cluster model” in which HE institutions should collaborate in regional groupings with each other and with other educational providers, such as FE colleges, to improve provision of all types.

By early 2002 there was a clear consensus among policymakers, widely but not universally shared in the university sector, that there were too many universities in Wales, with some of them being too small to be able to function optimally, hire the best staff, develop research groups on the scale required by current competitive conditions, take risks over the sort of investment that was needed to remain competitive, and that the pattern of provision, geographically and in terms of subject coverage, regardless of the strengths of individual institutions, could be improved to the general benefit of the population.

In this context, the then Education Minister launched a new strategy for higher education (Welsh Assembly Government 2002). This spoke of a disproportionately large number of small institutions in Wales with a range of consequences for performance; and of the need to take forward the idea of restructuring in clusters, with shared missions, though it eschewed prescription about their form or nature. It was emphatic that unless there was firm evidence of engagement with structural reform, ‘the case for the development and supplementary funding for the sector cannot be sustained’. In the meantime, funding was being made available to support restructuring, and the first call on any extra resources for HE for the foreseeable future would also be for restructuring.

A few months later, HEFCW established a new Reconfiguration and Collaboration Fund (HEFCW 2002). This invited bids for funding to support reshaping in the interests of major performance gains and enhanced competitiveness. Proposals would have to be strategic, substantial and sustainable when transitional funding ended: in brief, they should be “landscape changing”. The fund covered mergers and significant cross-institutional teaching and research collaborations and, once in a steady state, was spending about €20 million per year. A variant of the fund continues today. However, with sharply reduced funding for HE since the global financial crisis, from 2011 it has been focused sharply on mergers and regional collaboration, and only exceptionally on research (HEFCW 2011b).

With hindsight, what followed fell into three phases: an early phase, from 2002 to 2006, in which HEFCW sought to facilitate, but not prescribe, desired changes; a more interventionist phase, from 2006 to 2009, in which it took the opportunity presented by developments at a couple of institutions to accelerate restructuring; and a phase from 2010 onwards in which HEFCW developed a more explicit “blueprint” for change.

## **5.4 Early Phase – Funding Council as Facilitator (2002–2006)**

The 2002 initiative deliberately did not prescribe which institutions should merge or collaborate: the Council was serious about institutional autonomy, believed that there was never only one way forward, and welcomed institutions own proposals. These were also more likely to succeed than externally imposed proposals.

Four proposals for mergers or major strategic alliances arose quickly, together with others for a measure of subject rationalisation between neighbouring institutions, and for major multi-university collaborations to address the issue of uncompetitive scale and scope in research that HEFCW had identified.

### ***5.4.1 Cardiff University and University of Wales College of Medicine***

The first of these was to merge Wales's largest university, and strongest in research terms, with its only medical school. Cardiff University was unusual among its Russell Group peers in not having a medical school. The University of Wales College of Medicine (based primarily in Cardiff, but using teaching hospitals throughout Wales) was also unusual in being a stand-alone medical school: by the early 2000s, almost all UK medical schools were part of large research intensive universities.

In practice, however, a lot of the early years teaching in the medical school was already done by Cardiff University, and a good deal of biomedical and health-related research was also done jointly between them. A key aim was to build on this existing partnership to form a biomedical and health research powerhouse.

Importantly, new vice-chancellors took office in both institutions in 2001. Both had decided, beforehand, to explore the possibility of merger, for the reasons outlined above. Crucially, they had also agreed, to repeat, even before taking office, who would head the new institution. Hence, discussions between themselves proceeded smoothly, although many issues had to be resolved along the way, including the concerns of some of the leading Cardiff researchers that the process of merger would, for a while, reduce their effectiveness; and concerns of medical school staff and students about loss of their traditional identity. The funding council assisted with some of these concerns – for example, by funding six “linked chairs” to enable the appointment of internationally renowned new professors and associated teams in fields of joint interest to both institutions and so help maintain research momentum through the transition period.

All in all, though, the process was fairly smooth, with funding of £15 million. As is standard practice for HEFCW investments, an evaluation was done after an appropriate elapse of time, and this painted a largely positive picture of achievements relative to merger ambitions (HW Corporate Finance [2007](#)).

### ***5.4.2 Bangor University and North East Wales Institute of Higher Education***

The second proposal was for exploratory talks between Bangor University and Wrexham based North East Wales Institute of Higher Education (NEWI) – later to become Glyndŵr University – about 70 min apart by road, and with Bangor already conducting certain activities in Wrexham. NEWI was a community focused institution with a strong emphasis upon widening access to disadvantaged groups. In sharp contrast to Bangor, it made no claims to broad research strength, and so the cultures of the two institutions were significantly different. Nevertheless, HEFCW provided £0.25 million for an appraisal of the scope to offer better all-round support

to the people, businesses and other employers in north Wales by integrating their activities across the length of the north Wales corridor. It was no great surprise when, in 2004, the partners concluded that the cultural differences, especially in terms of the significance of research, were too great, and the talks ended amicably.

### ***5.4.3 University of Glamorgan and University of Wales Institute, Cardiff***

Not so in a third case, a proposal to merge two teaching-led institutions in south-east Wales. The University of Glamorgan was Wales's largest teaching-led university, but located 19 km north of the capital city, Cardiff, in the heartland of the former south Wales coalfield. In contrast, the smaller University of Wales Institute, Cardiff (UWIC – later to become Cardiff Metropolitan University), was based in the capital. Many observers saw logic in merging the two (and there had been previous discussions between them), bringing the best of each to bear across their entire geographical area – in the process creating for Wales a “metropolitan” university like those in other major UK cities.

HEFCW funded exploratory work to the tune of £0.25 million, but the talks were never easy. Issues of identity, future leadership, relations between existing leaders, and attitude towards the use of University of Wales awards (UWIC wanted to keep them, Glamorgan never had and did not wish to start) were among the sticking points. Interestingly, the main staff trades unions favoured merger provided there were no compulsory redundancies, arguing that this would secure safer future employment for their members. Discussions reached the stage of a formal public consultation document on the proposed merger being issued in August 2003 but then UWIC abruptly suspended the process in September citing issues of trust and confidence, and formally terminated it in December (GAELWa (Gwasanaeth Archwilio Elwa/ELWa Audit Service) 2004).

This was the subject of considerable disappointment in political circles. I personally found it regularly cited over the next several years as the key instance of higher education in Wales having failed to act to strengthen the system as a whole.

(UWIC was later to engage in discussions with University of Wales, Newport over possible merger, which did not advance far; and Newport similarly with a neighbouring FE college).

### ***5.4.4 Aberystwyth and Bangor Universities***

The fourth case from this period relates to two medium-sized research-intensive universities in west and north-west Wales, Aberystwyth and Bangor. Neither is

close to major population centres, and the question was raised about their long-term sustainability. Their proposal was not to merge (recognising, among other matters, that it takes over 2 h by road between them) but to strengthen their research by integrating activity in four areas important to both institutions. The effect would be to roughly double the size and scope of the relevant research groups, thus making them competitive with bigger groups elsewhere. HEFCW invested £11 million in this development, which has proved extremely successful and has led on to a joint learning and teaching strategy, and a combined operation for commercialising the results of research and engaging with users (Aber/Bangor Partnership [2011](#)).

### **5.4.5 Other Developments**

Space precludes discussion, but this period also saw a number of agreed transfers of departments between universities. It also proved possible to agree multi-institutional collaborative structures and integrated research strategies in fields such as low carbon, cognitive neuroscience, mathematics and computational sciences, climate change, and social and economic research, data and methods that pulled together large numbers of researchers across Wales (up to about 150 in one case), significantly increasing their collective scope to address major agendas and win large grants.

Useful summaries of many of these developments, with links to further detail, including some evaluations, can be found at Parken ([2011](#)) and HEFCW ([n.d. a](#), [n.d. b](#)).

## **5.5 A More Interventionist Phase (2006–2009)**

In 2006–2009 HEFCW took the opportunity presented by developments at a couple of institutions to accelerate the restructuring agenda.

### **5.5.1 University of Wales, Lampeter**

HEFCW had become increasingly concerned about the strategy and financial sustainability of a small rural university in Lampeter (Wales's, and one of the UK's, oldest). The university had considerable academic strength, but in a very limited number of fields, and there was a significant mismatch between them and student recruitment. In late 2007 HEFCW and the vice-chancellor agreed that HEFCW should engage consultants to review the university's strategy and business model, and its managerial capability. The resulting report (HW Corporate Finance [2008](#)) identified a range of serious issues, with the result that the governing body



recognised the need for action and began to work actively with HEFCW. Most of the senior management team departed, an interim vice-chancellor was appointed, and discussions were opened with the then Trinity College Carmarthen over potential merger. This was achieved in 2009, albeit with more generous HEFCW funding (£14 million) than would have been countenanced in more straightforward circumstances.

The outcome of this merger – the new University of Wales Trinity Saint David, with campuses in Lampeter and Carmarthen – was still a very small institution with a fairly restricted subject range. With an eye to better provision across south west Wales, HEFCW made it a condition of funding that talks be opened with a further small institution in the region, Swansea Institute of Higher Education (later Swansea Metropolitan University).

The result, by October 2012, was merger between the two HEIs, with further plans in hand for integrating strategies for student progression, course provision and governance structures with neighbouring FE colleges, aimed at establishing an innovative regional “dual-sector” university.

### ***5.5.2 Royal Welsh College of Music and Drama***

The second case during this phase concerned Wales’s only conservatoire, the Royal Welsh College of Music and Drama. Located in Cardiff, the College required a major capital investment to raise its facilities for performance in music and drama to UK and international standards. The College could not proceed without substantial HEFCW support, but HEFCW considered that the scale of the construction project, and the challenges of raising additional funds and then managing an institution with the desired profile, exceeded the existing managerial capacity.

HEFCW therefore required the College to find a larger and suitably experienced partner, and initially discussions were held with Cardiff University, conveniently located just across the road, which had a very strong Department of Music.

There were some unusual features of the discussions. In particular, it was considered vital for the merged College to be able to continue to project itself to students as a conservatoire, within the distinctive recruitment channels of that market. It was also believed important, again for comparability with leading conservatoires in England and Scotland, to retain the word “Royal” in the title and, because in this case the College’s leading patron happened to be the Prince of Wales, the word “Royal” was unlikely to be retained unless accompanied by “Welsh”. Hence, a solution such as absorbing the College into the Department of Music, or designating the College plus Department as a faculty of the University, was unlikely to work. At the same time, it could not remain a self-governing entity under the umbrella of a larger institution partly because the University would, properly, require control commensurate with its ultimate governance responsibility, and also because legal constraints prohibited the formation of what would be, in effect, a “university within a university”.

These proved, however, to be less significant issues than a perceived reluctance within part of Cardiff University to proceed. The question was raised of the possible effect on the strong research reputation of the Department of Music of association with an organisation whose purpose was the intensive training of prospective performers rather than scholarship and research. While these issues may have been soluble, a sense grew that, given the very small scale of the College relative to the University, and with the University facing other challenges at the time, this was not the best use of senior management time.

An alternative avenue was then explored with the University of Glamorgan. After the terminated merger discussions with UWIC in 2003, Glamorgan had proceeded with expansion plans. In 2007 it was opening a new School of Creative and Cultural Industries in the heart of the capital city Cardiff, and there was scope for complementarity between part of this activity and the College. In addition, Glamorgan's vice-chancellor by this time had previous experience of the sensitivities of linking a university with the performing arts when, working previously at the University of the West of England, he had negotiated a relationship with the Bristol Old Vic Theatre. Building on some of the groundwork from the Cardiff University discussions, and without the concerns this time about research performance, progress was swift. Solutions to the brand issue were found: the College would continue to be known as the Royal Welsh College of Music and Drama. Legally, it would cease to be a Higher Education Corporation and instead become a Private Limited Company wholly owned by the University of Glamorgan, with its own board of directors, which would in effect be a subsidiary of the Glamorgan board. The merger was completed in 2007 within the remarkably short time of 12 months.

## 5.6 Towards a Blueprint (2010 Onwards)

Throughout this entire period HEFCW had steadfastly not defined a desired shape for the Welsh HE system. Respecting institutional autonomy, and insisting that there was more than one way to reconfigure into a stronger and more sustainable system of higher education for Wales, it had declined invitations from, among others, some of the universities themselves, to offer a blueprint.

With the appointment of a new Education Minister, Leighton Andrews, in December 2009, fresh urgency was injected into all aspects of education policy, including higher education (See, for example, a speech to university governors on the theme of "adapt or die" – (BBC 2009)).

HEFCW decided to move towards a more explicit position. By this time the 13 higher education institutions of 2000 had reduced to ten (plus the Open University in Wales). In December 2010 HEFCW set a target of six (as it had done in 1999), with no more than two to be below the UK median income. It had already begun to structure higher education policy to a degree by three regions within Wales, with a view to improving provision geographically. It now called for two

universities per region, delivering both research-intensive and community focused/teaching led capacity between them. It deliberately did not say (in a way that would have echoed the UK's pre-1992 "binary line" between polytechnics and universities) that there should be one of each type per region, allowing instead the prospect of both foci being provided by single institutions (HEFCW 2010).

### ***5.6.1 Advice to the Minister***

This step sharpened the debate. In March 2011 the Minister asked HEFCW for specific, evidence based, advice on its preferred structure for higher education. He asked only for the preferred outcome, not how to get there. The process that the Council adopted is probably of wider interest than the discussion of individual institutions, and the following sub-section reflects that assumption.

In its response, published in July 2011, the Council argued that the current structure did not serve Wales as well as it could. It added that it recognised that it was moving beyond a fully evidence-based position to an exercise of judgment. Nevertheless, it believed that the available evidence, coupled with the extensive experience that the Council was able to bring to bear, made its preferred outcome reasonable (For the advice, and reactions to it, see HEFCW 2011a; National Assembly for Wales 2011; Welsh Government 2012a).

This observation, which the Council saw as an unremarkable recognition of its long-held view that there was always more than one way to address the issue, so that a judgment was inevitably required, was, to its great surprise, later used by one institution to support an allegation that the Council had admitted that there was no evidence for its position (8.2).

In forming its 2011 advice, the Council made clear that its focus was strategic and not derived from short term concerns about financial sustainability at any university. The issue was more that Wales was not achieving the full potential from its investment in HE including, for example, the capacity to secure additional funding, to capture research grants, or to sustain a broad subject portfolio. As a result, the sector was not offering as good a service as it could to learners and employers. No one was doing a bad job, or failing by any of the usual measures – but the sector, in the Council's view, was not as strong as it could be or, crucially, as it needed to be in the face of increasing challenges across the UK as a whole.

The Council went on to say, in a passage that went to the heart of much of the subsequent debate, that it was in this sense that it would react to any suggestion that discussion about merger was either irrelevant to, or detrimental to the interests of, individual institutions. It referred to existing language in its Corporate Strategy that committed it to:

- Development of a system of higher education in Wales, with universities and further education colleges working together in an integrated fashion;

- More coherently organised provision in each region of Wales, for the benefit of local learners and employers;
- Research performance at international standards of excellence, organised within and between institutions in ways that were sustainable, and strongly linked to users and beneficiaries;
- A clear understanding of how each institution contributed to the system as a whole; and
- All institutions being financially sustainable into the medium term and beyond.

With an eye to media reaction, the Council re-emphasised that no institutions were at imminent risk of collapse, even in what by then was a very uncertain financial climate (with the combination of the global financial crisis and dramatic UK developments in how universities were to be financed, following decisions about fees and student support in England). It did, though, warn of the risk that institutions might manage increasingly difficult finances through cost reduction, particularly via reduction in the breadth of the teaching portfolio offered (i.e., closing uneconomic departments). It also expressed its view (based on its prior experience with mergers) that smaller institutions struggled more to accommodate resource pressures, to make significant investments, and to afford the management capacity to cope with financial and other pressures. It accepted that systematic analysis of the relationship between institutional scale and sustainability or effectiveness is limited, but noted nonetheless a number of studies across the world (including Denmark, Finland, Canada and Australia, as well as the UK) which illustrated the impact of scale in terms of sustainability, capacity for investment, and academic synergies. Generally, these studies supported the case that smaller institutions are less sustainable and effective, though some evidence from Australia suggested that if an institution grows too large – to a scale not envisaged in Wales – then the benefits of scale can diminish (On evidence about mergers, see also (HEFCE (Higher Education Funding Council for England) [n.d.](#))).

The Council reviewed evidence in respect of learning and teaching, research, innovation and engagement, and sustainability. On learning and teaching, it looked particularly at quality, regional subject coverage, provision relative to population, the role of FE colleges, and widening access. On research, it looked at the most recent (2008) UK-wide Research Assessment Exercise and Wales's record in winning Research Council grants, as well as at work then in progress within the Welsh Government to frame a revised science policy for Wales, with an expected focus upon areas of real strength, building critical mass, and reducing the "tail" of underperforming research. On innovation and engagement it looked at the record on commercialisation and other evidence of use of research from Welsh universities. Finally, on sustainability, it looked at evidence on economies of scale and at institutions' financial health.

### 5.6.2 *Uncontroversial Recommendations*

The details of the Council's recommendations can be found in HEFCW (2011b). Four of these were uncontroversial:

- Cardiff University should remain committed to securing a position as a world-class research intensive university, while collaborating with others within Wales and across the border wherever this improved delivery;
- Swansea University should also continue to develop as a major research intensive university, building research partnerships in some areas with Cardiff, and also deepening regional coordination in south-west Wales;
- University of Wales Trinity Saint David and Swansea Metropolitan University should merge as, by now, was already planned, and should deepen regional coordination with Swansea University. In an additional complexity, which we will not pursue here, the Council also endorsed the potential addition to this merger of what was by now an ailing University of Wales (essentially an awarding body that was still used by some of the Welsh institutions – having been much more important to them in the past – but which was mainly, and controversially, known by now for its overseas validation activities);
- Aberystwyth and Bangor Universities (both with relatively new vice-chancellors) should substantially widen and deepen their strategic partnership, including development towards integrated governance processes, building capacity of sustainable scale in a range of subject areas, and develop a longer term plan for merger.

Apart from the Aberystwyth – Bangor merger proposal, which neither warmed to, but which did not create any particular tension because of its longer term status, all the above was received straightforwardly by the universities concerned and wider political circles.

This was not true of two other recommendations.

### 5.6.3 *Controversial Recommendations*

Glyndŵr University (formerly NEWI) in Wrexham, north east Wales, lies in one of the relatively more populous regions of Wales, very close to the border with England and several English universities, some very large. HEFCW saw Glyndŵr, with an income in 2011 of only £44 million, and with a relatively restricted teaching range, as facing a challenging future. To this was added the question of the breadth of support that the university, as currently constituted, could provide to local learners and employers. At the same time, the Council recognised Glyndŵr's excellent work with students from backgrounds that did not traditionally enter higher education, and its good graduate employment record. Before devolution, a natural step would probably have been to explore some form of structural

partnership or merger with a neighbouring English university, but by 2011 the education and other agendas in Wales and England, including approaches to funding universities and students, had diverged so much that this would have been difficult.

Faced with these considerations, the Council recommended that, to broaden the range of programmes and achieve significant mass, provision in north east Wales should be managed by Aberystwyth and Bangor Universities in a regional group structure, with a combined turnover of £290 million, perhaps on the model already seen in England in Suffolk (See University Campus Suffolk [n.d.](#)).

The reaction locally was very sharp. Glyndŵr had achieved university status only in 2008 – a matter of much local pride – and had worked hard to establish itself as a valuable partner within Wrexham (for example, by rescuing the stadium of the local football club, located adjacent to the campus, for use as a university and community facility). Anything that could be represented as a threat to “Wrexham’s university” was bound to be received hostilely – even though the aim was to increase the range and quality of teaching and research available to the town and region.

The second controversial recommendation concerned south east Wales. As discussed at 4.3, merger discussions between Glamorgan and UWIC (later Cardiff Metropolitan University) were ended in 2003 by UWIC. In 2011, the Council’s view of Glamorgan was that it was of sustainable size for an institution with its mission, with a good subject range and some significant research activity. It was, though, still small relative to other major post-92 institutions (such as the University of the West of England, in nearby Bristol) and it did not do too well in league tables, often because its dedication to recruiting students from disadvantaged backgrounds lowered the intake and retention variables used in many tables. But combined with other universities in the region, it could offer a more comprehensive subject range, rationalise some provision, and give Wales, and its capital city, a major post-92 university.

UWIC, meanwhile, was seen as small relative to similar city centre institutions, and with a portfolio of courses not as focused as it could be on meeting local needs. HEFCW observed that the case previously advanced by the institutions themselves for merger had been compelling at the time, and was no less so now: complementarity of provision, greater breadth, scope for better deployment of provision across the “greater Cardiff” area and into the former coalmining valleys north of the capital, and perhaps some campus rationalisation. UWIC was also relatively low on part-time students, but had a strong emphasis on international students, which reinforced the sense of complementarity.

Finally, in the south east, was University of Wales, Newport, a small institution (income £48 million) with limited scope and a major sustainability challenge in the longer term. The Council considered that its provision could, if need be, be covered by other institutions in the region. The most obvious step would be to merge with Glamorgan, with which a strong partnership already existed to address the challenge of provision in the (hugely socially disadvantaged) upper reaches of the former mining valleys.

From this analysis came the recommendation of a three-way merger in south east Wales.

## 5.7 Ministerial Response

By the time this advice was published, there had been in May a further National Assembly election. The outcome was a single party government (not a coalition as before) with the same Minister (Leighton Andrews) as before. The new government's election manifesto referred to the pattern of HE in Wales having been determined largely in the nineteenth century and not being fit for purpose in the twenty first. It spoke of not allowing structural problems to get in the way of success, and of the need for the universities to adapt. It promised "through legislation where necessary" to seek more coherence and efficiency in higher education policy, adding that it would "Continue to drive the transformation and rationalisation process that is beginning to take shape in Wales creating a smaller number of stronger universities" (Welsh Labour 2011).

There was, therefore, continuity of policy, but with increased legitimacy, in the Minister's view, because this commitment had been explicitly voted upon.

When Mr Andrews published HEFCW's advice in July, he said that it made "a persuasive case for change and offers a clear rationale for the preferred structure proposed by the Council". He was, therefore, "minded at this stage to accept the broad thrust of HEFCW's recommendations", and now encouraged wide discussion of the recommendations (National Assembly for Wales 2011).

As expected, there were strong reactions in south east and north east Wales. The bigger of the two issues, politically and in higher education terms, was in the south east, and it would clearly require a great deal of energy.

### 5.7.1 *North East Wales*

It was perhaps partly for that reason, but also in recognition of the intrinsic difficulty of the issues, that he took the heat out of the debate in the north east by announcing on 29 November 2011 his decision not to accept HEFCW's advice but instead to consider more closely the pattern of provision in NE Wales and to examine further the options for securing greater regional coherence in the delivery of FE and HE. In February 2012 he announced the formation of a review group to do this work (National Assembly for Wales 2012a).

Their report (Welsh Government 2013) was received in June 2013 and published in September. It broadly endorsed HEFCW's diagnosis, noting strong commitment to access, and responsiveness to some of the core needs of employers and the economy, together with lack of scale and breadth in HE delivered in NE Wales. It spoke of Glyndŵr University as being perceived to act "opportunistically within a commitment to survival rather than having a strategic approach to the balance of provision needed or to improvement of its standing". Many stakeholders had argued for a rebalancing of provision between FE and HE, with some saying that Glyndŵr's provision appeared too like an FE college. The concerns of the leading

local manufacturing employer (Airbus UK) over the quality of provision for its undergraduate apprentices were reported. No evidence was found for a claim by the university that HEFCW had discriminated against it over funding.

The report was clear about the need for a solution “owned” by NE Wales, and concluded that this required a far more strategic and collaborative approach than currently existed. It recommended a “hardwired” federal partnership between Glyndŵr and the neighbouring FE college (one of the UK’s largest), both of which would remain legally independent. A high level strategy board would set their overall approach, including the development of an HE/FE strategy to meet the needs of the region, oversight of shared services, and allocation across the two of all funds arising from the Welsh Government and HEFCW. A partnership with Chester University, just a few miles away in England, was also called for.

If for any reason this model proved unworkable, there should instead be a similar federal partnership between Glyndŵr and Bangor universities.

There was also a key prerequisite of any progress:

Effective leadership and governance must sit at the core of any solution if it is to deliver the truly strategic and collaborative approach needed in the region. A significant body of stakeholder opinion believes that the provider system has fallen short in this regard.

In publishing the report, the Minister said that he would take further advice and issue another statement in the Spring.

### **5.7.2 *South East Wales***

In the south east, the Minister announced on 31 January 2012 the start of more focused discussions with the three institutions and other relevant stakeholders (National Assembly for Wales 2012c).

He commissioned Professor Sir Steve Smith, vice-chancellor of Exeter University and a very senior figure in UK higher education, to advise on the options, and published his report, which strongly endorsed the three-way merger, in July (National Assembly for Wales 2012b).

Near the end of Smith’s work, on 4 July, Glamorgan and Newport announced that they wished to merge. Smith called this a “game changer”, and said that what by now was called Cardiff Metropolitan University (CMU) was “being tactical not strategic” in announcing on 9 July that it did not wish to engage in merger talks. In his view and, he said, that of almost everyone he had spoken to outside of CMU itself, a merger of all three was necessary and CMU faced “fiscal attrition” year by year if it stood outside this consensus.

CMU, nevertheless, continued its vigorous opposition. Over the next months, arguments advanced, including the alleged unmanageable scale of the new university (it would indeed have been among the top few in the UK, but HEFCW saw no reason not to be so ambitious), complexity of managing a three-way merger (a point that HEFCW accepted, with the expectation that the merger would need to be



planned carefully), loss of identity for activities such as student sports clubs at CMU (a university with a very strong emphasis on sport), and the lack of a detailed business case for the merger.

As noted at 6.1, the Council's statement on the role of evidence and judgment in its advice was also cited but used, perversely, to claim not that judgment had been added to evidence, but that there was no evidence. As for the lack of a detailed business case, HEFCW considered that, as in all earlier instances (including the terminated discussions between UWIC and Glamorgan) and, as also seen in the then current talks between Glamorgan and Newport (see below), this could only be developed by the institutions themselves once serious discussions had begun. Indeed, the Council had a number of times contributed to institutions' costs – including UWIC's – in developing such business cases.

In process terms, the Minister, reinforced by what he contended was the legitimacy conferred by his party's 2011 manifesto, had made repeated references to the possibility of using his powers under the Education Reform Act 1988 (section 128) to dissolve one or more of the three institutions. On 6 August 2012 he wrote, as required by law, to the three and to HEFCW to consult them on two propositions: (a) his preferred option, the dissolution of both CMU and UWN, and the transfer of their assets and liabilities to Glamorgan; or (b) if his preferred option were not adopted, then the dissolution of UWN alone, and its transfer to Glamorgan.

This step took him into uncharted legal territory, on a UK-wide basis. All previous use of the power to dissolve had been by consent (indeed, request) of the relevant institutions.

CMU's media and political campaign intensified, and both the Welsh Government and HEFCW noted an upturn in Freedom of Information requests concerning the preparation of HEFCW's advice. The Government also began to receive detailed letters from CMU's lawyers, requiring huge staff effort to answer, and in the knowledge that anything less than full answers could, if the Minister did invoke his legal powers, trigger a case for "Judicial Review" – a form of legal challenge that tends to focus more on whether or not due process has been followed than on the substance of the case. In October, both Sir Steve Smith and the Minister issued statements contradicting on matters of fact statements that had been made by the chair of governors of CMU (National Assembly for Wales 2012c).

Meanwhile, discussions between Glamorgan and Newport had proceeded, though not without initial incident. The Vice Chancellor of Newport had claimed, on an unconnected matter to do with changes that HEFCW was introducing because of the new fees and funding regime, that there was a "conspiracy" to force Newport into merger – a view firmly rejected by HEFCW. On 5 May it was announced that he would be retiring for family reasons (BBC [n.d.](#); Matthews 2012).

By 25 October 2012 Glamorgan and Newport had agreed a shared vision for the new university, signed a Heads of Terms agreement, established a programme management framework, completed all due diligence checks, and undertaken discussions with trades unions and student union representatives. The business case was expected in December, and the universities expressed a clear wish to

merge in April 2013 and, importantly, to do so without the complexity of having to manage relations with a third, evidently highly reluctant, partner.

On 6 November the Minister commended this progress, said that he did not wish to hamper it, and announced that in the light of these developments he had decided to cancel the consultation launched in August and await the detailed business case, which was expected to include a request that he dissolve Newport voluntarily. He added that the Government's position remained, however, that it wished to see a single post-92 university in south east Wales. He observed that as recently as 2003, in the public consultation document that had been issued then, UWIC and Glamorgan had said that "Wales lacks, and needs, a university of the size, power and reputation of the leading new universities in England", and that he could not agree more (Welsh Government [2012b](#)).

On 21 March 2013 it was announced that the Minister had agreed to dissolve UWN on 11 April 2013, and that £24.8 million was being made available by HEFCW over the next 3 years to support the transition to the new University of South Wales (South Wales Argus [2013](#); University of Glamorgan [2013](#)).

## 5.8 Some Reflections

### 5.8.1 *Three Phases of Mergers in Wales*

Higher education mergers in Wales have been actively sought by HEFCW and the Welsh Government since the start of the millennium. With hindsight, we can identify three phases: an early phase, from 2002 to 2006, in which HEFCW sought to facilitate, but not prescribe, desired changes; a more interventionist phase, from 2006 to 2009, in which it took the opportunity presented by developments at a couple of institutions to accelerate restructuring; and a phase from 2010 onwards in which HEFCW developed a more explicit "blueprint" for change.

Up to 2006 HEFCW was laying out a policy direction and a framework for funding, but working with institutions' own proposals. It offered support in negotiations, helped to solve problems – sometimes by acting as a broker between institutions, sometimes by clarifying potential confusions in the political realm – and gave moral support (not to be underestimated) to institutional leaders when matters were not moving smoothly. Even though the proposals were coming from institutions, they did not always lead to successful outcomes, most spectacularly in south east Wales.

This phase was also important for the range of collaborative activities in research that were started across the Welsh universities, a number of which have resulted in some powerful groups by any standards; and for establishing the principle that it is possible to organise research effectively on this basis.

The key role of university leaders, especially the vice-chancellor and the chair of governors, became clear during this phase. It was evident from the outset that these

institutional leaders could facilitate or impede – the most dramatic positive example being the two new vice-chancellors who had agreed the case for merger, and who would lead the institution, even before taking office; and negatively, the breakdown of trust between Glamorgan and UWIC. Even when discussions are going well, trust between institutional leaders is still critical: in sensitive discussions about who will take what role later; in having confidence that the other party will effectively manage doubters within their institution; and on how to present the evolving discussions publicly. Trust between university and funding body leaders is also critical, particularly at moments when commitments over, e.g., funding, or various forms of political support, may be needed on timescales that cannot wait for normal governance processes.

In the more interventionist phase between 2006 and 2009 HEFCW acted more opportunistically, seizing chances that arose to accelerate change. It did so, though, with a broad vision in mind of the sort of change that it desired.

The subsequent “blueprint” phase arose in the context of requests from the sector and the Government. The sector was aware of the perception in political circles that, despite all that had happened since 2002 (arguably more than in any other region of the UK), it was not seen as enough. Some in political circles saw the terminated merger in south east Wales as having “got away”, leaving unaddressed one of the major structural issues facing Welsh HE. It was recognised in the sector that this perception coloured attitudes to higher education more broadly – perhaps affecting funding.

Within Government, a new minister re-energised the entire educational portfolio. He repeatedly pressed for action, not talk, to the point where some in the HE sector felt that his approach risked becoming counterproductive. In the latest phase of the debate over merger in south east Wales, his willingness to consider invoking his legal powers was seen as highly novel and contentious by UK standards of government-university relations.

### **5.8.2 *Broader Considerations***

Emerging from the Welsh experience, some broader considerations can, finally, be identified.

First, attention to legal requirements is important in all merger discussions. Even when the mutual commitment is firm, there are still agreements to reach, and processes to follow, over the appropriate legal, governance and managerial instruments and associated timescales. Where a funding body or government is pressing the case, this issue is amplified by the risk of legal challenge, though how will obviously depend on the specific national framework in question.

In the Welsh case, it was sometimes asked whether it would help if the funding council had a legal power to require mergers. HEFCW’s response was that more important than any legal power is the political environment. If a funding council invoked a legal power to require a merger in contested circumstances, it would

provoke a political storm, with the risk that in the end the government would not back it. That would be an untenable position. Much better, argued HEFCW, was for funding council and government to be in step on any proposal, so that appropriate arguments and levers could be applied jointly, and with government committed to handling the politics from the outset (See McCormick Review 2011).

Second, the concept of a system has been present in the discourse about higher education in Wales since the turn of the millennium. It was well expressed in 2009 in the government's strategy for HE (Welsh Government 2009, para. 36):

A national higher education system for Wales will be created: different providers will have different strengths and different missions but will work together to complement and enhance their individual strengths and missions. They will form a wider and more coherent system of providers, including FE colleges as well as HE institutions, working together and equipped to deliver sustained high quality higher education.

The general point here is that this sense of system arises particularly from the small scale of the country, and of its higher education provision. Whereas a larger country (such as England) might be able to encourage institutions to go wherever they believe their market leads, and accept some failures, in a small country failure can leave a problem for the learners and employers who might have nowhere else to turn, and for a government that sees higher education as a key resource for the delivery of its agenda, and wishes to ensure appropriate provision in all parts of the country. In Wales, this consideration was reinforced by the political inclination of the relevant governing parties towards collaborative rather than competitive approaches to policy delivery.

Third, funding for the costs of merger (including preparation of the business case and any transitional investment), is a key lever for change. The specific manner of its use will again vary from one national framework to another. But Welsh experience shows that, in a political and legal framework that extols institutional autonomy, funding, while important, is less so than political will and institutional commitment.

Finally, even when, as throughout the UK, institutional autonomy is highly respected, the Welsh experience shows its sharp intersection with the principle of public accountability: that is, government asking whether the public is getting the best possible return on its investment in higher education and pressing for change if not. This tension can reasonably be expected to arise in more and more national cases in times of fiscal pressure and low economic growth, and it raises a question over the traditional role of university governing bodies.

The conclusion reached in Wales by HEFCW was that, regardless of the strengths of individual institutions, the higher education system as a whole was not delivering as well as it could and that restructuring was needed. A tension arose, therefore, for institutional governing bodies, between their normal role of overseeing and protecting their university's interests, and actively exploring some form of institutional metamorphosis. Much of the recent debate has reflected this difference in perspective between the institution (whose supporters might ask what is wrong with it, and why does it need to change) and those responsible for the system as a

whole. Therein lies the rub, and a debate that will continue, possibly in more and more countries.

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